

RE: CB Formalin Hazardous Determination

Steve Enyart

to:

Nicole Cruise

09/24/2009 09:28 AM

Cc:

coyler, "Steve Schmidt", plilly

Show Details

Nicole,

I am attaching the description of corrective actions taken by us and the manifest issued for/by Safety Kleen for Triumph Foods' for the determination and proper disposal of the one gallon container of CB Formalin cited in the May 25, 2009 EPA RCRA inspection; Notice of Violation 5.0.1.

Please let us know if you need any further information to close this matter.

Respectfully,

Steve Enyart

Safety Manager

senyart@triumphfoods.com

5302 Stockyards Expressway

St. Joseph, MO 64504

816-396-2825

From: Cruise.Nicole@epamail.epa.gov [mailto:Cruise.Nicole@epamail.epa.gov]

Sent: Tuesday, September 08, 2009 11:02 AM

To: Steve Enyart

Subject: Re: CB Formalin Hazardous Determination

Thanks for the update.

Nicole Cruise

Air and Waste Management Division

RCRA Enforcement and State Programs Branch

Solid Waste Pollution Prevention Branch

U.S. EPA Region 7

913.551.7641 phone

913.551.7201 fax

cruise.nicole@epa.gov

RCRA



494671

From: "Steve Enyart" <senyart@triumphfoods.com>

To: Nicole Cruise/R7/USEPA/US@EPA

Cc: "Carl Oyler" <coyler@triumphfoods.com>, "Steve S" <sschmidt@triumphfoods.com>, <plilly@triumphfoods.com>, "Nedrow, Winfield" <Winfield.Nedrow@safety-kleen.com>

Date: 09/08/2009 10:58 AM

Subject: CB Formalin Hazardous Determination

Nicole,

Since we have no other disposal options for the one (1) gallon plastic container of, CB Formalin; we have issued a requisition to Safety Kleen for the profiling, transportation and the disposal of this product.

We anticipate getting the profile sometime before September 21, 2009 and then have the container picked up by Safety Kleen on September 22, 2009.

I will scan in and email you the manifest when this occurs. Thanks for you guidance in this matter.

Steve Enyart
Safety Manager
senyart@triumphfoods.com
5302 Stockyards Expressway
St. Joseph, MO 64504
816-396-2825

5.0 VIOLATIONS

5.0.1. Failure To Make A Hazardous Waste Determination (NOV #1)

According to 40 CFR 262.11, a hazardous waste determination must be made on all solid wastes. A hazardous waste determination had not been made on the following:

Administrative Building (Safety Office)

- One ¾ full five gallon container of formalin labeled with the words "Outdated Chemical" (see photo #1).

Mr. Enyart stated that the one ¾ full five gallon container of formalin (labeled with the words "Outdated Chemical") has been in storage at the Safety Office for at least two to three weeks. Mr. Enyart stated that the five gallon container of formalin (labeled with the words "Outdated Chemical") was determined to be unusable by the Microbiology Lab staff. I asked Mr. Enyart if the one ¾ full five gallon container of formalin (labeled with the words "Outdated Chemical") was RCRA hazardous. Mr. Enyart stated "I don't know." I asked Mr. Enyart if Triumph has made a hazardous waste determination on the one ¾ full five gallon container of formalin (labeled with the words "Outdated Chemical") in the Safety Office. Mr. Enyart stated "No."

This was a one gallon container of CB Formalin which had been brought to the Safety Manager by the Lab Manager on or about February 23rd, 2009 and informed me that they no longer had a use for it.

We did the hazard determination after the audit by calling the manufacture, Anatech LTD, who advised us that they have a process whereby the active ingredient of CB Formalin, formaldehyde, can be safely broken by our lab with another of their products, Formaldetox, and then disposed via our on site waste water pre treatment facility or a sanitary drain.

The container has been returned to storage in the Micro Lab until the Formaldetox we have ordered arrives.

NOTE: I am attaching the use instructions and MSDS for the Formaldetox to my email for your review and we will await your comments before proceeding with the disposal of the CB Formalin.

UPDATE September 24, 2009 FINAL DETERMINATION AND DISPOSAL

The city of St. Joseph POTW chose not to authorize the break down of the 18% formaldehyde into its non-regulated constituents per the manufacturer's procedures. Triumph Foods then sent the MSDS and other information on to Safety Kleen for profiling.

The one gallon, five pound container was picked up on September 23, 2009 by Safety Kleen; Manifest Tracking Number 002141223 SKC. (see next page)

We believe this action now completes the abatement of Violation 5.0.1. Please advise if you feel it does not. Thank you.

Please print or type. (Form designed for use on a 12-pin typewriter)

Form Approved OMB No. 2050-0030

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number MOR000512748	2. Page 1 of 1	3. Emergency Response Phone 1-800-468-1760	4. Manifest Tracking Number 002141223 SKS	
5. Generator's Name and Mailing Address TRIUMPH FOODS 5302 STOCKYARDS EXPRESSWA SAINT JOSEPH MO 64504 Generator's Phone: 816-396-2825						
6. Generator's Name SAFETY-KLEEN SYSTEMS, INC.				U.S. EPA ID Number TXR000050930		
7. Transporter's Company Name				U.S. EPA ID Number		
8. Designated Facility Name and Site Address SAFETY-KLEEN SYSTEMS, INC. 633 E 138TH ST DOLTON, IL 60419 708-225-8100				U.S. EPA ID Number 000654 ILD980613913		
9. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))						
10. Containers		11. Total Quantity		12. Unit (kg, lbs)		13. Waste Codes
No. Type						
1. X UN1198, WASTE FORMALDEHYDE, SOLUTIONS, FLAMMABLE, 3(8), PG III		1 DF		5 P		D001
2.						
3.						
4.						
14. Special Handling Instructions and Additional Information SK TRCK#110940022 0003035240 1)ERG#132						
SK AUTHORIZED TO RETAIN LICENSED SUBSEQUENT CARRIERS AS NECESSARY						
15. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. I am the Primary Exporter. I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.23(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.						
Generator's Officer's Printed/Typed Name				Signature		Month Day Year 7/23/97
16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. Port of entry/exit Date leaving U.S.						
17. Transporter Acknowledgment of Receipt of Materials						
Transporter 1 Printed/Typed Name				Signature		Month Day Year 7/23/97
Transporter 2 Printed/Typed Name				Signature		Month Day Year
18. Discrepancy						
18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection						
18b. Alternate Facility (or Generator) Manifest Reference Number U.S. EPA ID Number						
Facility's Phone						
18c. Signature of Alternate Facility (or Generator)						Month Day Year
19. Hazardous Waste Report, Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)						
1.		2.		3.		4.
20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in item 18a						
Printed/Typed Name				Signature		Month Day Year

EPA Form 3200-22 (Rev. 3-86) Previous editions are obsolete.

1) 0202683 2) 3) 4)

1) 2461910/40369923

GENERATOR'S INITIAL COPY